

Message Text

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ACTION NEA-10

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C O N F I D E N T I A L 15070

EO 11652: GDS
TAGS: TBIO, EG
SUBJ: NAMRU III AGREEMENT
REF STATE 174365

1. DCM, CAPT WATTEN AND MR WHEELER OF NAMRU MET WITH AMB EL ARABY, DIR OF LEGAL AFFAIRS MFA, AND HIS ASSISTANT HASSAN ON SEP 6 TO REVIEW CONTENTS REFTEL AND TO DISCUSS MFA'S CONCERN THAT PROVISIONS OF EGYPTIAN LAW 121/74 BE COVERED IN NEW NAMRU AGREEMENT. MFA AGREES WITH ALL POINTS IN REFTEL, I.E.

A. DELETE SECOND SENTENCE ART V PARA 1, AND PUT NAMRU DIR ON DIPLOMATIC LIST WITH TITLE OF ATTACHE.
B. ART X IS APPROVED AND SUBSTITUTUE "AUTHENTIC" FOR "AUTHORIZED" IN CLOSING SENTENCE OF AGREEMENT.
C. SIGNATURE LINE IN ENGLISH TEXT OF AGREEMENT WILL HAVE US SIGNATURE ON LEFT SIDE.

2. WITH REGARD LAW 121/74, AFTER CONSIDERABLE DISCUSSION, MFA SUGGESTED THAT ART XI INCLUDE STATEMENT THAT THIS LAW IS ALSO SUPERSEDED BY NEW AGREEMENT, PROVIDED THAT AGREEMENT BE AMENDED TO INCLUDE LAW 121'S PROVISIONS (1) THAT IMPORT OF
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OFFICIAL AND PERSONAL ITEMS BE SUBJECT TO "SURVEILLANCE" (INSPECTION), AND (2) THAT DISPOSAL OF SUCH ITEMS BE IN ACCORD WITH ART 3 OF THAT LAW. SINCE EMBASSY AND NAMRU SAW NO PROBLEM WITH INCLUSION SUCH PROVISIONS AND IN THE INTEREST OF SPEED, EMBASSY ACCORDINGLY PROPOSED TO MFA FOLLOWING CHANGES AND ADDITIONS TO COVER THESE POINTS, ON A STRICTLY INFORMAL AND AD REFERENDUM BASIS:

A. INSERT NEW ART X AFTER PRESENT ART IX: QUOTE ANY MATERIALS, EQUIPMENT, SUPPLIS, PERSONAL EFFECTS OR OTHER GOODS IMPORTED BY THE GOVT OF THE UNITED STATES PURSUANT TO ART VIII, PARA 1, OR BY THE PERSONNEL (AND THEIR DEPENDENTS) SO AUTHORIZED IN ART IX, PARA 4, MAY BE (1) RE-EXPORTED OR SOLD TO PERSONS HAVING DUTY FREE PRIVILEGES, FREE FROM CUSTOMS, DUTIES, TAXES AND ALL OTHER CHARGES, OR (2) OTHERWISE SOLD WITH THE ARAB REP OF EGYPT, SUBJECT TO THE PAYMENT OF CUSTOMS DUTIES AND OTHER TAXES PURSUANT TO APPLICABLE LAWS AND REGULATIONS OF THE ARAB REP OF EGYPT. ALL SUCH GOODS SHALL BE SUBJECT TO INSPECTION BY CUSTOMS OFFICIALS UPON ENTERING THE ARE. UNQTE

B. RENUMBER ARTICLES X, XI AND XII TO XI, XII AND XIII, RESPECTIVELY.

C. AT END OF NEW ART XII ADD: "AND LAW 121/74 OF THE ARE."

D. IN ART VIII, PARA 1, LINE3, CHANGE "ARTICLE" TO "AGREEMENT"

3. EL ARABY PHONED DCM SEP 10 TO SAY THESE CHANGES WERE SATISFACTORY TO MFA AND ASKED THAT THEY BE PROPOSED TO WASHINGTON FOR STATE AND NAVY APPROVAL. HE SAID MIN OF HEALTH HAS BEEN PRESSING MFA TO APPROVE AGREEMENT, AND MFA ACCORDINGLY ANXIOUS TO PROCEED. EL ARABY SAID MIN OF JUSTICE, "WAS NO PROBLEM", WHICH WE TAKE TO MEAN IT HAS INTERPOSED NO OBJECTIONS.

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4. ACTION REQUESTED: DESPITE OUR FEARS THAT MFA (AND ESPECIALLY HASSAN, WHO IS LVERY LEGALISTIC) WOULD TRY TO REWRITE AGREEMENT ALONG LINES OF LAW 121/74, TO OUR PLEASANT SURPRISE MFA HAS GONE ALONG WITH ABOVE MINOR REVISIONS, WHICH EMBASSY AND NAMRU BELIEVE ARE ENTIRELY SATISFACTORY. WE BELIEVE THAT CUSTOMS INSPECTION WAS TAKEN FOR GRANTED IN OUR EARLIER DRAFTS AND THAT IT IS IN FACT USEFUL TO COVER DISPOSAL OF PROPERTY, WHICH WE DO NOT THINK WAS INCLUDED IN EARLIER DRAFT. WOULD THEREFORE APPRECIATE APPROVAL TO PROCEED ON ABOVE BASIS THAT AGREEMENT CAN BE CONCLUDED PROMPTLY. EL ARABLY SAID THAT AFTER SIGNATURE, RATIFICATION PROCESS BY PEOPLE'S ASSEMBLY SHOULD ONLY TAKE ABOUT ONE MONTH. HE MAY BE TOO OPTIMISTIC, BUT GOE OBVIOUSLY WANTS TO GET AGREEMENT CONCLUDED ASAP. PLEASE ADVISE DECON AFTER SIGNING OF AGREEMENT. EILTS

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Message Attributes

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